

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

CRAIG McCONLEY d/b/a
McCONLEY AND ASSOCIATES

CIVIL ACTION NO. 05-1006-A

JUDGE DRELL

-vs-

MAGISTRATE JUDGE KIRK

BOISE BUILDING SOLUTIONS
MANUFACTURING, L.L.C., et al.

AMENDED JUDGMENT

For the reasons given in the Ruling accompanying this Judgment,

IT IS ORDERED, ADJUDGED, and DECREED that Defendant Boise Building Solutions Manufacturing, L.L.C.'s Motions to Dismiss (Docs. 19 and 33) are hereby GRANTED as to the following claims asserted by Plaintiff Craig McConley d/b/a McConley and Associates (hereinafter "Plaintiff"):

- (1) breach of contract and
- (2) for unjust enrichment/quantum meruit.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendant Boise Building Solutions Manufacturing, L.L.C.'s Motions to Dismiss are hereby DENIED as to the following claims asserted by Plaintiff:

- (1) conspiracy;

- (2) violations of the Louisiana Trade Secrets Act;
- (3) breach of fiduciary duty; and
- (4) violations of the Louisiana Unfair Trade Practices Act.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendant The Migues-DeLoach Company, L.L.C.'s Motions to Dismiss (Docs. 20, 24, and 36) are hereby GRANTED as to the following claim asserted by Plaintiff:

- (1) unjust enrichment/quantum meruit.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendant The Migues-DeLoach Company, L.L.C.'s Motions to Dismiss are hereby DENIED as to the following claim asserted by Plaintiff:

- (1) conversion/misappropriation;
- (2) conspiracy;
- (3) violations of the Louisiana Trade Secrets Act;
- (4) breach of fiduciary duty; and
- (5) claims under the Louisiana Unfair Trade Practices Act.

The claims as to which Defendants' Motions to Dismiss are granted are dismissed without prejudice.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Plaintiff's Motion to Remand (Doc. 25) is hereby GRANTED as to the following claims:

- (1) conversion/misappropriation;
- (2) conspiracy;

- (3) violations of the Louisiana Trade Secrets Act;
- (4) breach of fiduciary duty; and
- (5) claims under the Louisiana Unfair Trade Practices Act.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Plaintiff's Motion to Remand is hereby DENIED as to the following claims:

- (1) breach of contract and
- (2) unjust enrichment/quantum meruit.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Plaintiff's request for attorney's fees and costs is hereby DENIED.

SIGNED on this 28st day of March, 2006, at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read 'Dee D. Drell', is written over a horizontal line.

Dee D. Drell
United States District Judge